

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

Kelly Milligan, o/b/o Himself and All Others Similarly
Situating,

Plaintiff(s)

v.

Merrill Lynch, Pierce, Fenner & Smith Inc., et al.

Defendant(s)

Civil Action No. 3:24-cv-00440-KDB-DCK

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Merrill Lynch, Pierce, Fenner & Smith Inc.
c/o CT Corporation System
160 Mine Lake Ct, Ste. 200
Raleigh, NC 27615

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

John D. Hurst
Motley Rice LLC
50 Clay Street, Suite 1
Morgantown, WV 26501

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



Handwritten signature of Katherine Hord Simon in black ink.

Date 05/03/2024

Katherine Hord Simon, Clerk

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PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* Merrill Lynch, Pierce, Fenner & Smith, Inc.
was received by me on *(date)* May 7, 2024.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* CT Corporation System, who is
designated by law to accept service of process on behalf of *(name of organization)* Merrill Lynch, Pierce,
Fenner & Smith, Inc.
delivered by Federal Express on *(date)* May 8, 2024; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: May 9, 2024



Server's signature

Viola LePine, Paralegal

Printed name and title

Motley Rice LLC
20 Church Street, 17th Floor
Hartford, CT 06103

Server's address

Additional information regarding attempted service, etc: